



San Diego City Attorney **MICHAEL J. AGUIRRE**

NEWS RELEASE

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CITY ATTORNEY WINS FREEDOM OF SPEECH LAWSUIT FILED BY FOUR FIREFIGHTERS

San Diego, CA— A San Diego Superior Court Judge determined that the City of San Diego did not violate the freedom of speech of four San Diego firefighters in connection to the 2007 Pride Parade in Hillcrest.

Judge Michael Anello found that the parade was “a properly permitted event, and that the Fire Department had determined for good and sufficient reasons that its participation in the event was not only consistent with its “community building” activities, but in fact was required under the Unruh Civil Rights Act and the San Diego Municipal Code. Under those circumstances, it appears to the court that there was no violation here of the Plaintiffs’ right to freedom of speech.”

This claim is now closed, as judgment must be entered against the firefighters and in favor of the City of San Diego and the San Diego Fire-Rescue Department.

The case, *John Ghiotto, et al. v. City of San Diego, et al.*, was filed in August 2007. The firefighters alleged that they were subjected to sexual harassment by spectators after being ordered to ride in a fire truck in the July 21, 2007 San Diego Pride Parade.

The firefighters were seeking \$4 million in damages even though the Fire Chief had taken immediate action after the four firefighters met with her, as she worked with the union to modify the parade policy to an all-volunteer effort.

The three week trial concluded on Monday. A jury rendered a verdict in favor of the City that there was no retaliation against one of the firefighters who filed the retaliation claim. The firefighter testified that he was promoted after he filed the claim against the City.

A new trial was set on the issue of the firefighters’ claim of sexual harassment because the jury could not reach a verdict.

City Attorney Aguirre’s legal defense team also included Chief Deputy City Attorney Maria C. Severson and Deputy City Attorney Kristin Zlotnik.

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